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## NOTICE OF APPEAL

FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant : Goddard et al.  
 App. No : 10/063,587  
 Filed : May 3, 2002  
 For : SECRETED AND TRANSMEMBRANE  
 POLYPEPTIDES AND NUCLEIC ACIDS  
 ENCODING THE SAME  
 Examiner : Claire M. Kaufman  
 Art Unit : 1646

## CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

September 21, 2005

(Date)

AnneMarie Kaiser, Reg. No. 37,649

## Mail Stop AF

Commissioner for Patents

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Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated June 22, 2005 finally rejecting Claims 1-5.

FEE CALCULATION				
FEE TYPE		FEE CODE	CALCULATION	TOTAL
Notice of Appeal	41.20(b)(1)	1401 (\$500)		\$500
			<b>TOTAL FEE DUE</b>	<b>\$500</b>

- (X) A check in the amount of \$500 is enclosed.  
 (X) An Information Disclosure Statement and PTO/SB/08 equivalent listing references for consideration:  
 (X) Listing 5 references and enclosing 5 references.  
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Dated: September 21, 2005

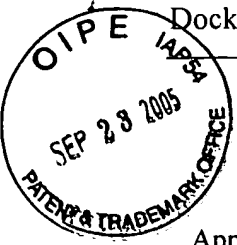
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INFORMATION DISCLOSURE STATEMENT

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Enclosed for filing in the above-identified application is a PTO/SB/08 Equivalent listing 5 references to be considered by the Examiner. Also enclosed are 5 foreign patent references and/or non-patent literature as listed on the Information Disclosure Statement.

Please place these references in the file of the above-identified patent application in accordance with 37 C.F.R. § 1.97(i).

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated:

Sept. 21, 2005

By:

AnneMarie Kaiser  
Registration No. 37,649  
Attorney of Record  
Customer No. 30,313  
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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>	Application No.	10/063,587
	Filing Date	May 3, 2002
	First Named Inventor	Goddard et al.
	Art Unit	1646
(Multiple sheets used when necessary)	Examiner	Claire M. Kaufman
SHEET 1 OF 1	Attorney Docket No.	GNE.3230R1C61

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No.	Foreign Patent Document Country Code-Number-Kind Code Example: JP 1234567 A1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>1</sup>
	1	WO 97/38085	10-16-1997	California Pacific Medical Center		

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>1</sup>	
	2	ALBERTS, et al. 1994. <i>Molecular Biology of the Cell</i> , 3rd Edition, pp. 1216-1217. New York: Garland Publishing.		
	3	ANDERSON, et al. 1997. A comparison of selected mRNA and protein abundances in human liver. <i>Electrophoresis</i> , 18:533-537.		
	4	FESSLER, et al. 2002. A genomic and proteomic analysis of activation of the human neutrophil by lipopolysaccharide and its mediation by p38 mitogen-activated protein kinase. <i>The Journal of Biological Chemistry</i> , 277(35):31291-31302.		
	5	TOKUNAGA, et al. 2000. Application of quantitative RT-PCR using "TaqMan" technology to evaluate the expression of CK 18 mRNA in various cell lines. <i>J. Exp. Clin. Cancer Res.</i> , 19(3):375-381.		

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Examiner Signature	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

T<sup>1</sup> - Place a check mark in this area when an English language Translation is attached.